

EXHIBIT 3

David Montpas

From: Molly Thomas-Jensen <mthomasjensen@everytown.org>
Sent: Wednesday, February 22, 2023 8:56 AM
To: David Prichard
Cc: Karla McDonald; David Montpas; etirschwell@everytown.org; rgerber@everytown.org; lkeeley@everytown.org; Lopez.LMLawgroup@gmail.com; Moreno.LMLawGroup@gmail.com; delgadoblas@yahoo.com; dneiman@rblaw.net; sraisch@rblaw.net
Subject: Re: Torres, et al vs. Daniel Defense, et al

Counsel –

The new complaint we plan to file in the Austin Division will include new plaintiffs, as well as some amendments to the claims previously filed against Daniel Defense in the Del Rio Division, among other changes. We'd like to combine Sandra Torres and her family into that new and updated complaint as well. But we understand from your letter that you won't consent to the steps necessary to do that by agreement. Accordingly, we'll go ahead and make our new filings today. Once you've had a chance to review them, please let us know if you change your mind and would be willing to stipulate to dismissal of the Sandra Torres case without prejudice so we can combine it with the new case we will file today in the Austin Division (at which point you would of course be able to file whatever motion you deem appropriate with respect to that new, combined complaint).

Thanks very much.

On Tue, Feb 21, 2023 at 6:52 PM David Prichard <dprichard@prichardyoungllp.com> wrote:

Dear Ms. Thomas-Jensen-

I am confused by your response of below. In this morning's email you mentioned filing a new lawsuit in the Austin Division of the Western District of Texas. Below you suggest you will be filing an amended pleading pursuant to FRCP 15 and Local Rule CV-15 in the Torres case in Del Rio. Daniel Defense will not oppose a request by you to amend the Torres complaint adding your new claim (and parties) provided you will not oppose Daniel Defense filing a second Motion to Dismiss addressing your new allegation.

This should solve your issue without the necessity of dismissing the current case in Del Rio and filing a new case in Austin.

Let me know.

David M. Prichard

Prichard Young, LLP

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San Antonio, Texas 78216

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From: Molly Thomas-Jensen <mthomasiensen@everytown.org>

Sent: Tuesday, February 21, 2023 4:53 PM

To: Karla McDonald <kmcdonald@prichardyoungllp.com>

Cc: David Prichard <dprichard@prichardyoungllp.com>; David Montpas <dmontpas@prichardyoungllp.com>; etirschwell@everytown.org; rgerber@everytown.org; lkeeley@everytown.org; Lopez.LMLawgroup@gmail.com; Moreno.LMLawGroup@gmail.com; delgadoblas@yahoo.com; dneiman@rblaw.net; sraisch@rblaw.net

Subject: Re: Torres, et al vs. Daniel Defense, et al

Dear Mr. Prichard,

Thank you for your letter. We don't agree to your proposals. To be clear: we intend to amend our allegations against Daniel Defense (including by adding a new cause of action), as is our right under FRCP 15 and Local Rule CV-15, so your motion to dismiss under FRCP 12b6 will be moot. Let us know if this changes your position. Otherwise we'll go ahead with our filings.

Thanks,

Molly

On Tue, Feb 21, 2023 at 5:45 PM Karla McDonald <kmcdonald@prichardyoungllp.com> wrote:

Counsel,

Please see the attached correspondence from David Prichard in the above-referenced matter.

Thank you.

Karla McDonald

Legal Secretary to David M. Prichard and

Mark D. Wolfe

prichard
young ||

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Molly Thomas-Jensen
DEPUTY DIRECTOR OF AFFIRMATIVE LITIGATION
SHE/HER

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